

GUARDIAN AD LITEM AND JUDICIAL DECISION-MAKING
IN CASES OF CHILD ABUSE AND NEGLECT

By

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It has long been recognized that cases involving child abuse and neglect confront the legal system with the difficult moral and practical dilemma of whether to remove children from their parents' care. While broad guidelines are provided under federal and state laws, there remains a great deal of ambiguity regarding appropriate factors to consider when making such decisions. Several researchers have put forth rational models to guide decision-making and a few have examined samples in attempts to determine which factors are most relevant to court personnel. However, these studies generally have not sought to generate predictive models for such decision-making, and they tend to rely on examination of case records rather than direct report from those involved in the decision-making process. The current study sought to extend our current knowledge of the determinants of case disposition in cases of child abuse and neglect by considering the influence of potential factors as reported by the child's court-appointed representative,

or Guardian ad Litem. Guardian recommendations for placement were considered as well as case adjudication to determine whether significant differences exist in the decision-making processes of the two groups. Judicial decisions were also compared to Guardian recommendations to determine the extent to which judges and Guardians concur.

Results indicated that while judges are highly likely to concur with recommendations of the Guardians, they tend to place a somewhat different emphasis on the variables they use to determine whether to remove a child from his home. Judges were found to rely most heavily on the presence of allegations of sexual abuse and on the degree of parental warmth and support for the child. Guardians, however, were found to rely most heavily on the presence of previous reports of abuse against the child. Neither judges nor Guardians appeared to place heavy weight on much of the information regarding family psychological functioning. Implications for this finding are discussed.

INTRODUCTION

Overview

Recent estimates of the prevalence of child sexual abuse, physical abuse, and neglect indicate that almost two million children per year become victims of some form of maltreatment (National Center on Child Abuse and Neglect, 1988). Numerous studies have documented the host of psychological and behavioral problems that often result from such abuse (see Lamphear, 1985; Brown & Finkelhor, 1986; Houck & King, 1988, for reviews). Such research clearly indicates that child abuse is a serious problem of wide scope in our society.

The considerable task of assessing and intervening in cases of child abuse and neglect has fallen to child protection agencies and the judicial system. To facilitate this process, specific guidelines have been set, and Guardian ad Litem programs have been established. Working within the guidelines, the Guardian ad Litem serves as a court-appointed legal representative of the child. The Guardian gathers information concerning the family and makes a recommendation to the court regarding appropriate placement of the child and treatment for the family. It is then the responsibility of the judge to make a final decision in the best interests of the child, the family, and society.

Such a process requires a great deal of subjective judgment, especially on the part of the Guardian. Several researchers have put forth theoretical models to guide decision-making in such situations (e.g., Wasserman & Rosenfeld, 1988; Faller, 1988), and other

researchers have sought to describe the decision-making process by considering social, family, and child characteristics which are associated with case disposition (e.g., Katz, Hampton, Newberger, Bowles, & Snyder, 1986; Finkelhor, 1983).

Although the approaches applied in these latter studies are more direct in that they analyze actual placement decisions, the studies themselves are largely descriptive and have limitations in methodology or scope. The present study seeks to extend our current knowledge of the decision-making process involved in cases of child abuse and neglect by identifying factors which influence the Guardian's recommendation and the final adjudication of the case. A large number of potential determinants will be considered. Guardians and judges will be evaluated separately in order to determine whether differences exist in the decision-making processes of the two groups. The results of such analyses can then be compared to theoretical models of decision-making in order to evaluate the appropriateness and effectiveness of the process.

Historical Background

The problem of child abuse and neglect is not a new phenomenon. On the contrary, children have been mistreated by adults since the beginning of civilization (Radbill, 1968). Practices such as harsh discipline, child labor, incest, ritual sacrifice, and infanticide attest to the extent to which child abuse is deeply rooted in cultural and religious history (Eskin, 1980). The historical view of children as "property" of their parents and the generally accepted concept that family matters were private contributed to such a situation.

It was not until the late nineteenth century that society began to shift its view of children as property to include the concept of children's rights. The landmark case of "Mary Ellen" in 1870 marked the first time that child abuse was recognized by a U.S. court. The court intervened by removing Mary Ellen from her home and by prosecuting her custodian. This case demonstrated the need for a child protection agency, and shortly thereafter, the New York Society for the Prevention of Cruelty to Children was chartered by the New York legislature (Landau, 1982). This agency served as the prototype for many that followed.

Definition of Abuse

While the above case brought about a recognition that parental freedom is not limitless and that children have a legal right to be protected from cruelty and neglect, there has been no clear consensus of exactly what constitutes child abuse. Wasserman and Rosenfeld (1986) note that early definitions of child abuse generally included only the most severe cases, while recent definitions have been expanded to include any form of corporal punishment. Emotional abuse has recently been recognized in the literature, but it has also proved difficult to define precisely. State statutes and mandatory reporting laws defining child abuse typically refer to harm or threatened harm to a child's physical or mental well-being, but they do not provide specific guidelines.

Sloan (1983) has put forth a definition of abuse which is operationally useful. He divides child abuse and neglect into four categories: physical abuse, neglect, sexual abuse, and emotional maltreatment. Physical abuse of children refers to any non-accidental injury caused by the child's caretaker. Neglect involves inattention to the

basic needs of the child, including food, shelter, clothing, medical care, and supervision. Sexual abuse includes any interaction between a child and an adult in which the child is being used for the sexual stimulation of the adult. Finally, emotional maltreatment includes such behaviors as blaming, belittling, or rejecting a child; unequal treatment of siblings; or lack of concern for the child's welfare. Such definitions provide more specific criteria for determining the occurrence of abuse or neglect, and are frequently used by child protection workers.

Incidence and Prevalence

The exact scope of child maltreatment in this country is subject to wide debate. One problem in determining the incidence of child abuse is the lack of a standard definition regarding exactly what constitutes abuse and neglect. A second problem is that different research designs yield different estimates of child abuse. Daro (1988) notes that interviews with a random sample of households or individuals consistently project higher incidence and prevalence rates than indicated by formal reporting data.

The National Center on Child Abuse and Neglect (1988) has responded to such difficulties in estimation of the incidence of child abuse by recognizing five "levels" of abused and neglected children. Level 1 includes all abused and neglected children known to state and local Child Protective Services (CPS) agencies. At Level 2 are those children who are not known to CPS, but who are known to other investigative agencies, such as police, courts, or health departments. Level 3 includes children who are not known to any Level 1 or 2 agency, but who are known to professionals in other community institutions, such as hospitals, schools, daycare centers, and mental health

clinics. The abused and neglected children at Level 4 are known only to individuals outside of Levels 1, 2, and 3, such as neighbors or other family members. Finally, Level 5 includes those children who have not been recognized by anyone as abused or neglected. Although this description of all five levels is valuable in that it formally recognizes that unreported cases of abuse do exist, the Center's incidence study includes cases only at Levels 1 through 3.

The results of this study indicated that 10.7 children per 1,000 were physically abused in the United States during 1988, or a total of 675,000 children. Rates of neglect were even higher — 15.9 children per 1,000, or a total of over one million children nationwide. The rate of all forms of child sexual abuse was estimated to be 2.5 per 1,000, or a total of 159,000 children.

As mentioned above, random sample interview studies generally yield higher estimates of the prevalence of child abuse, probably because they tap unreported abuse as well as abuse known to public agencies and community professionals. For example, Strauss and Gelles (1986) conducted a national study on the incidence and prevalence of family violence by telephone interviewing a probability sample of 6,002 households. Child abuse data were based on the 1,428 households in which there was a child between the ages of 3 and 17 years, and in which two caretakers were present. The results of this study indicated that 19 children per 1,000 were subject to at least one incident of "very severe violence" during 1985.

Random samples of the prevalence of sexual abuse also yield significantly higher estimates than the Center's study. Russell (1983) surveyed a probability sample of 930

women residents of San Francisco about any experience of sexual abuse they might have had. Her findings indicated that 38% of the women had experienced at least one incident of sexual abuse before the age of 18 years. Finkelhor (1984) reported that 6% of all males and 14% of all females in his random sample had experienced sexual abuse before the age of 16 by a person at least five years older.

Regardless of the specific definition or research methodology utilized, virtually all estimates of the incidence and prevalence of child abuse and neglect indicate that it is an increasingly prevalent problem in our society.

Role of Child Protection Agencies

Since the case of Mary Ellen, it has been the responsibility of the court and child protection agencies to assess and intervene in cases of child abuse and neglect. Considering the amount of abuse and neglect that has been documented, the lack of a standard definition of abuse, and the precarious balance between individual rights protected under the fourteenth amendment and the need to protect children, this is an imposing responsibility.

In order to carry out the tasks of assessment and intervention in a fair and effective manner, specific guidelines for child protective services have been put forth. Although the specific details of such guidelines differ by state, the general principles of the process remain the same. Landau (1982) describes six major aspects of the child protective service process:

The referral process. All 50 states now have mandatory reporting laws designed to encourage the reporting of suspected abuse and neglect. Most reporting systems also

include provisions which encourage investigation, intervention, and treatment services. Many states have also set up central abuse registries.

Definitions. As mentioned above, each state has a slightly different definition of what constitutes child abuse and neglect, and all state definitions are rather broad. However, differences are minimal, and the use of a broad definition provides the practitioner with leeway in decision-making. Most states distinguish between abuse and neglect, and therefore define them separately.

Critical elements of a child protection system. Landau notes that there are a number of criteria for a child protective agency to be an effective system. Practitioners must have accurate knowledge of the incidence of child abuse and neglect. The system must have a strong and well-publicized mandatory reporting law and an effective central abuse registry. A specially trained Child Protection Unit must be available at all times. The court system must be capable of dealing fairly and effectively with families, and treatment and rehabilitative programs should be available for those families. Finally, interdisciplinary communication and a system of coordination should be used to implement the network of services for families.

Assessment of cases. A specially trained child protection worker must systematically gather information regarding the child, the family, and the circumstances of their lives. The worker must then use this information to determine whether abuse has occurred; if so, to determine why it occurred; and to identify appropriate interventions.

Initiation of the legal process. It is the responsibility of the child protection worker to decide whether to initiate court proceedings. Guidelines for the consideration of court action include situations in which (a) the child is determined to be in imminent danger, (b) attempts at treatment have failed, and/or (c) the family refuses to cooperate with the investigation. Caseworkers must also consider issues regarding the nature of evidence and the possible negative consequences of bringing a case into court.

Emergency removal. All states have statutes which allow for the emergency removal of abused or neglected children from the home, even prior to the filing of a petition. A court order may or may not be necessary. All states have specific criteria regarding the conditions necessary to justify emergency removal, and most have specific requirements describing what must be done following the removal.

Caseworker-attorney interchange. Landau (1982) also stresses the importance of the establishment of rapport between the child protection worker and the agency attorney as they work to prepare cases. Clear guidelines regarding decision-making are beneficial.

The Guardian ad Litem Program

Almost all states have implemented Guardian ad Litem or similar programs to carry out the above functions, and those that have not require that legal counsel be appointed to represent the child in abuse and neglect hearings (Sloan, 1983). A Guardian ad Litem is a court-appointed legal representative who participates on behalf of children, who are legally unable to initiate or function in litigation without adult assistance. The function of Guardians is to identify the child's best interests in the litigation, and they

are legally obligated to do everything within their power to represent those interests (Whitcomb, 1988).

Wiig (1982) notes that although appointment of a Guardian ad Litem is a condition of the federal Child Abuse Prevention and Treatment Act (PL93-247), the Act does not define the functions of a Guardian, distinguish the Guardian's role from that of the child's social worker and the child's attorney, or clearly define the relationship of the Guardian to the court. She conducted a limited study of six Guardians in an attempt to clarify these roles.

Wiig's findings led her to conclude that the following ten activities might be defined as the functions of the Guardian because they were distinguished from the actions of the child's lawyer and social worker in the cases she examined: (1) to function as a mediator in an attempt to achieve consensus among parties prior to court proceedings; (2) to coordinate between juvenile court and other court departments; (3) to provide continuity across the entire legal process; (4) to persuade the social worker to consider alternative placements, (5) to minimize trauma to the child and to provide continuity of relationship with the child; (6) to insure court attention to cases by placing them on the calendar; (7) to make recommendations in the best interests of the child; (8) to identify special needs of the child and to insure that the child receives attention to those needs; (9) to prevent continuances not in the best interests of the child or to request an attorney to do so; and (10) to request independent counsel for the child (pp. 93-94). Wiig further notes that while the attorney or social worker might in some cases fulfill some of these

roles, the functions numbered 3, 5, and 8 are distinct and may be considered strictly functions of the Guardian ad Litem.

While it is generally accepted that the Guardian fulfills these functions and ultimately makes a recommendation to the court regarding disposition of the case, the process by which the Guardian arrives at the recommendation is less clear. Several researchers have noted the problems inherent in such a process, and have put forth theoretical models of decision-making to guide practitioners. These models are discussed in detail below.

REVIEW OF LITERATURE

Theoretical Models of Decision-Making

Wasserman and Rosenfeld (1986) have noted several difficulties facing judges who must decide when to intervene in cases of possible abuse or neglect, and these difficulties also apply to Guardians as they struggle to make the most appropriate recommendation based on the information they have. Such problems include the aforementioned lack of clarity in the definition of abuse, difficulties in proving abuse, limited alternatives available other than foster care, problems in the foster care system, and the large number of children in abusive and neglectful situations.

Wasserman and Rosenfeld (1986) also note the positive and negative aspects of separation that must be considered when deciding whether to remove a child from his home. Separation provides for the safety of the child, sets limits on parental behavior, and lets the child know that society will intervene to protect him if his parents do not. It may also provide an opportunity for the child to live in a safer, warmer environment. Separation also frees the parents from the burdens of childrearing, thereby giving them the opportunity to make constructive changes in their situation.

Potential negative consequences of separation must also be carefully considered. Even though they may be abused, most children have an affectional bond with their parents and see that relationship as a source of identity and well-being. Thus, even when faced with abuse, many children express a desire to remain with their families. Also,

feelings of inadequacy and failure in both parents and children may follow separation. The authors state that children may even perceive themselves as responsible for the separation.

In order to make appropriate decisions given such a difficult situation, Wasserman and Rosenfeld (1986) recommend that practitioners consider the nature and quality of the parent-child bond. They state, "A judge who is provided with careful evaluation of the parent-child relationship is in a better position to decide wisely" (p. 524). In addition to interviewing all individuals involved in the case, the authors recommend that the caseworker visit the family's home. The caseworker should note issues such as how well the parent knows the child, how able and willing the parent is to care for the child, how reasonable the parent's beliefs about discipline are, and how much nurturance the parent provides the child. Once the caseworker has obtained this information, he or she can make a reasonable evaluation of the relationship between parent and child. According to Wasserman and Rosenfeld, this evaluation can then be used to make the most appropriate decision regarding disposition of the case.

While the characteristics of the family relationships likely have legal and clinical utility for decision-making, an approach considering only this factor seems overly simplistic. Based on clinical experience with over 300 cases of child sexual abuse, Faller (1988) has proposed a model of decision-making in cases of intrafamilial child sexual abuse which is more comprehensive than the approach described above. Like Wasserman and Rosenfeld (1986), she believes that the parent-child relationship is an important consideration, especially the relationship between mother and child. However,

Faller also believes that other parental characteristics are crucial to decisions about intervention.

These characteristics differ between mothers and fathers. According to Faller's theory, important maternal factors are (1) the level of the mother's dependency, especially on the father-perpetrator; (2) the degree of love and nurturance she conveys to the victim; and (3) the degree to which she responded protectively when she discovered the sexual abuse. Important paternal characteristics are (1) his overall level of functioning; (2) his superego functioning; and (3) the severity of the sexual abuse.

In order to use such information to choose intervention strategies, Faller has identified four types of cases based on different combinations of the above characteristics. Type I cases are ones in which both parents have many strengths. In such cases Faller recommends family therapy, without court involvement. In Type II cases, the mother has many positive characteristics, but the father exhibits many areas of problematic behavior. For these cases, Faller suggests maintaining the mother and child intact and referring them for treatment but advises that the father-perpetrator be excluded from the family. Legal intervention may be necessary to remove the father from the home.

In Type III cases, mothers are dependent, hostile toward their children, and unprotective. Although the father has sexually abused the child, he functions much better than the mother and he often has a closer relationship with the child than does the mother. According to Faller, this is the most difficult type of case for which to determine appropriate intervention. She recommends therapy for all family members for three to six months, at which time careful re-evaluation should be conducted. During

this time period, it may be optimal to place the child with a relative, which allows for less disruption in the child's life while still protecting him or her from further sexual abuse.

In Type IV cases, the mother is similar to the Type III mother, and the father exhibits poor overall functioning and shows no guilt over the (usually) extensive abuse. Faller recommends that parental rights be terminated in such cases, and that the children receive treatment for at least one year. Criminal prosecution may also be warranted for the perpetrator.

Although Faller's approach to decision-making is comprehensive and specific, it does have several limitations. First, her approach assumes the availability of alternative placements for the child (i.e., placement with a relative or for adoption), which may not always be readily available. Second, some possible combinations of parental characteristics do not match any of the four case types described. Decision-making for these families is therefore more ambiguous. Third, this theoretical model has been proposed for cases of father-child sexual abuse only. It is not clear whether such a model might be adapted to cases of physical abuse or neglect, or to cases of sexual abuse by a non-father perpetrator. Finally, though her model is based on clinical experience, it has yet to be empirically tested.

Several researchers have conducted analogue studies with child protection workers or have analyzed actual case disposition data in an attempt to empirically describe aspects of the decision making-process in cases of child physical abuse or neglect. Such cases are reviewed below.

Empirical Studies of Decision-Making

Meddin (1984) conducted an analogue study of criteria used by child protection workers to determine placement decisions in cases of abuse and/or neglect. She surveyed 81 child welfare workers using a questionnaire which described six situations containing two instances each of physical abuse, sexual abuse, and neglect. Respondents were provided with information on eight variables: age, gender, and race of the child; the child's experience of previous placements; the severity of the current incident; risk to the child of further abuse and/or neglect; and the cooperation and functioning of the primary caretaker. For each situation, respondents indicated whether they would place the child in foster care; they then described what variables influenced their decisions.

Results of Meddin's study indicated that the primary variable used to determine placement of the child was risk of further abuse and/or neglect. Such a finding seems of dubious value, given that caseworkers are rarely, if ever, provided with that information directly. More often, assessment of risk to the child is a part of the caseworker's decision-making process.

Meddin did, however, note that four other variables clustered around risk to the child, and she suggested that these variables might serve as operational definitions or indicators of risk. The four variables were severity of the current incident, functioning and cooperation of the primary caretaker, and age of the child.

While Meddin's study is useful in that it indicates several variables which seem to be important in caseworkers' placement decisions, it does have several limitations. In actual case situations, child protection workers typically have a great deal more

information than the eight variables Meddin provided. It is impossible to evaluate the importance of this additional information using the analogue research design employed here. Additionally, there is the possibility that the caseworkers' actual decisions differ from what they report in a hypothetical situation.

Several empirical studies of actual case dispositions have been conducted in an attempt to overcome such limitations. Runyan, Gould, Trost, and Loda (1981) examined the records of the North Carolina Registry of Child Abuse and Neglect to determine which social, family, and child characteristics were most influential in the decision to place a child in foster care. According to Runyan et al., these records contained all theoretically relevant factors as well as demographic information.

Results of the study indicated that several child and family characteristics put children at increased risk for placement. These variables included parents who perceive severe punishment as acceptable, parents with substance abuse problems, severe child injuries, child abandonment, and several other specific types of abuse. Age of the child or parent, the presence of several maltreated children in one family, and several other specific types of abuse were found to be not significant. Race, income, and education were also nonsignificant, suggesting that there is no systematic bias in placement decisions. Two non-family variables were also found to be associated with a higher chance of placement—cases referred by courts or police and geographic area.

Runyan et al. also employed a logistic regression model to predict placement in foster care given all the above variables. They then compared this to actual placement. Results of this procedure did not strongly associate the above characteristics with removal

from the home. In fact, the variance explained by the model was only 0.168. Runyan et al. interpreted this result to mean that assignment to foster care approximates a random process across a large population.

An alternative explanation for such a finding may be that child protection workers use different criteria for making placement decisions for different types of abuse cases (i.e., sexual abuse, physical abuse, or neglect). Since these data were collapsed across type of abuse, such differences may have canceled each other out.

Katz, Hampton, Newberger, Bowles, and Snyder (1986) examined factors that influence the decision to remove children from their parents' care in cases of abuse (physical or sexual) versus neglect (nonphysical injury). These researchers examined the records of 185 suspected abused or neglected children at Children's Hospital, Boston, in an attempt to reveal how demographic characteristics, family history, family stress, the nature of the injury, and aspects of the medical encounter influence the outcome of the case.

Interestingly, the results of the study indicated that children with nonphysical injuries were more likely to be removed from their parents' care than were those with physical injuries. The authors suggested several possible explanations for this finding, including the possibility that neglect may be perceived by clinicians as evidence of a chronic family problem rather than a single mishap.

Katz et al. also conducted Chi-square analyses to test the influence of other independent variables on placement, although these analyses were collapsed across cases of abuse and neglect. Their findings indicated that the following factors predicted

removal from the home: Medicaid-eligible families, previous reports of suspected maltreatment, and suspicion of the mother being involved in the maltreatment. Minority families, families in which the child was under age six, and families that were experiencing more than one stressor were more likely to have their children returned. Surprisingly, severity of condition was not significantly associated with outcome.

The results of this study yielded several interesting and even counterintuitive findings. Again, however, because different categories of abuse were not considered separately, the possibility of overgeneralization exists.

Finkelhor (1983) analyzed data on 6,096 cases of sexual abuse which were officially reported in the U.S. in 1978 in an attempt to evaluate how the cases were handled. His specific aim was to determine whether children were being unnecessarily removed from their homes. Such an approach seems useful in that his consideration of sexual abuse cases alone minimizes the risk of overgeneralization or of having significant effects washed out by differences among groups.

Finkelhor compared the overall placement rate of sexual abuse cases to the placement rate of physical abuse cases in the National Clearinghouse sample. His findings indicated that foster care placement occurs significantly more often in cases of sexual abuse, which led him to hypothesize that sexual abuse results in more outrage than does physical abuse, regardless of the degree of danger to the child.

Finkelhor's main finding of the study was that foster care does not seem to be used indiscriminantly in cases of sexual abuse. For example, the most important predictor of foster care placement was whether or not the victim initially reported the

abuse. A preference to be placed outside the home was more likely to be met than a preference to stay. Also, foster care is more likely to be used in the case of an older child than a younger child. This seems reasonable given that older children are typically better able to adjust to living without their families.

Other factors predisposing to placement in foster care included abuse committed by parents (especially if both parents were involved), very large families, the presence of other types of abuse or neglect, and the presence of several other family stressors, such as spouse abuse, substance abuse, family discord, and mental health problems. Such findings led Finkelhor to conclude that "the characteristics of the children who are placed in foster care do suggest some rational relationship between the disposition and the facts of the case" (p. 199).

Finkelhor's data also suggest that foster care is not used indiscriminantly in "vulnerable" families. For example, he found that foster care placement is not more likely to occur with poor families. Further, black children were not more likely to be removed from their homes than were white children. Thus, according to Finkelhor's findings, there does not seem to be any systematic bias in the decision-making process.

The strengths of Finkelhor's study include its large N, its consideration of a large number of potentially relevant factors, and its statistical analysis of only one type of abuse. This methodology does not, however, indicate whether any of these factors cluster together to form a meaningful aggregate of predictive characteristics. Also, similar information regarding cases of child physical abuse and of neglect is needed.

RESEARCH OBJECTIVES AND HYPOTHESES

The current study seeks to extend our knowledge of the determinants of case disposition by considering the influence of potential factors in cases of physical abuse and in cases of neglect. Guardian ad Litem recommendations for placement will be considered as well as final judicial decisions, in order to determine whether significant differences exist in the decision-making processes of the two groups. Judicial decisions will also be compared to Guardian recommendations to determine the extent to which judges rely on those recommendations.

Based on review of the available literature, it is hypothesized that several groups of variables will predict Guardians' and judges' decisions to place the child outside the home in cases of child physical abuse and neglect. Among demographic variables, it is hypothesized that increased age of the child will predict placement outside of the home, but that family race and income will not be related to case disposition.

A second category of variables hypothesized to be related to case disposition includes those which are descriptive of the abuse situation. Specifically, it is proposed that abuse perpetrated by parents, very severe abuse, the presence of other types of abuse, and previous reports of abuse will predict placement of the child outside the home.

A third category of variables includes those that describe the psychological state of the family. It is specifically hypothesized that poorer parent psychological

functioning, high degree of parental noncompliance with the investigation, the presence of spouse abuse and substance abuse, high degree of family discord, and low degree of parental warmth and support for the child will all predict placement outside the home.

METHOD

Subjects

Subjects for this study included 94 families involved in child physical abuse or neglect cases in the state of Florida. All families were selected from adjudicated cases in 12 judicial circuits. Only one abused or neglected child from each family was considered in this study in order to avoid misleading duplication of family and case variables. Child age ranged from 1 year to 17 years (mean=4 years, 9 months). Family income ranged from \$0 to \$65,000 per year (mean=\$8,661). Fifty-nine percent of the families were white, 34% were black, 4% were Hispanic, and 3% were other races.

Measure

Data for this study were collected using a questionnaire designed by the team of investigators to sample demographic, legal, and psychological factors relevant to the family (see Appendix A). Demographic and legal information was of public record and included the age, sex, and race of each family member; who the alleged perpetrator was; family income; occupation and education level of each parent; whether or not the abuse was substantiated; past history of abuse; whether criminal charges were brought against the perpetrator; whether mental health evaluation was recommended and/or completed for each family member; which placement options were recommended by the Guardian; and which placement options were adjudicated. Placement options included the following: (1) perpetrator removed from the home, (2) parents retain custody with

supervision, (3) temporary custody awarded to a relative, (4) temporary foster placement, (5) child placement in a treatment facility, (6) placement for adoption, (7) child placed in a detention facility, and (8) not dependent and returned home. A category designated "other" was also provided in case final adjudication included a placement not described above. For the purposes of this study, these options were collapsed to "returned home" (options 1, 2, or 8) or "removed from the home" (options 3 through 7).

Psychological information for each case was provided by the Guardian, who made judgments based on his or her interviews with the family. Judgments were made on visual analog scales on the following issues: (1) who the non-abusing caretaker supports; (2) severity of the abuse/neglect; (3) child's distress over the current family situation; (4) conflict between the parents; (5) parents' willingness to report family problems in general; (6) amount the family favors family activities; (7) amount the family members clarify and/or speak for other family members; (8) degree to which the physical needs of the child were met (and who they were met by); and (9) degree to which the emotional needs of the child were met (and whom they were met by).

Guardians also rated the following issues for each parent: (1) conflict between parent and child; (2) warm and positive feelings for child; (3) involvement in child's daily life; (4) reliance on the child; (5) psychological issues (loneliness, depression, anxiety, irritability); (6) satisfaction with social support; and (7) response to the Guardian in general. Guardians also indicated on visual analog scales their confidence in each of their judgments.

Additional information was requested regarding whether the parents were abused or neglected as children, whether the parents are accused of substance abuse and/or spouse abuse, whether the parents have lost jobs or moved within the past year, whether the parent or child suffers a mental or physical handicap, and whether the child exhibits any behavioral problems.

Reliability. Guardian's judgments on the psychological issues were compared to those of licensed clinical psychologists and law students (Goldman et al., in preparation). A videotape of a Guardian interviewing expert Guardians who were acting as family members involved in a child abuse scenario was viewed by 22 Guardians, 17 clinical psychologists, and 15 law students. The script for the mock interview was written by the investigators in conjunction with two Guardian supervisors so that it would be representative of an authentic family situation. After viewing the videotape, all subjects completed the portion of the research questionnaire which involved psychological issues. No significant differences were found between the Guardians', psychologists', and lawyers' judgments on any of the psychological issues, indicating that no specific bias could be attributed to the subjects' training or their area of expertise.

Test-retest reliability was also calculated for each of the 29 items rated. The 22 Guardians viewed the mock interview twice, at three week intervals. Of the variables used in this study, Pearson correlations were significant for three variables at the $p < .05$ level (level of conflict, maternal and paternal warmth for child), for one variable at the $p < .01$ level (maternal noncompliance), and for one variable at the $p = .001$ level (severity of abuse/neglect). Pearson correlations were found to be non-significant for

paternal noncompliance and parental psychological functioning (depression, anxiety, irritability, and loneliness). It should be noted, however, that the videotape viewed by the Guardians contained relatively little information regarding the variables found to have non-significant correlations, and it is therefore hypothesized that the low correlations were due more to Guardians' lack of confidence in their ratings than to instability in their judgments over time.

Procedures

Data for each family were collected by the Guardian ad Litem (GAL) assigned to that case. Each judicial circuit and each Guardian participated in this study on a volunteer basis. Guardians are assigned cases on an individual basis by the GAL director of each circuit. Each Guardian is appointed to a family when the case first becomes active, and that Guardian represents the child until the case is adjudicated. For the purpose of this study, Guardians collected data on each family when the case reached the stage of adjudication. Thus, the cases used in this study represent those that were not settled out of court and therefore may represent the most severe cases.

RESULTS

Comparison of Judges' and Guardians' Decisions

The cross-tabular display provided in Table 1 shows the frequency with which judges agreed with the recommendation of the Guardians ad Litem. Results indicate that the child was removed from the home by the judge in 78 cases and returned home in 16 cases. Guardians recommended removal from the home in 69 cases and recommended returning the child to the home in 25 cases. Table 1 also shows that the judge agreed with the Guardian's recommendation (to remove the child from the home or to return the child home) in 79 of the 94 cases. There were only 12 cases in which the judge—but not the Guardian—felt that the child should be removed, and only 3 cases in which the Guardian—but not the judge—felt that the child should be removed. The Kappa statistic (K) was calculated to determine the degree of concurrence observed between judges and Guardians, and the obtained value of .53 indicates good overall agreement (beyond chance) between the two groups. It can therefore be concluded that while Guardians appear to be slightly more conservative in their recommendations to remove children from their homes, there was considerable agreement between the two groups regarding placement of the child.

To further assess the relationship between Guardian recommendations and judicial decisions, a logistic regression analysis was conducted using Guardian recommendation as a predictor variable for judicial decision (See Table 2). Results indicated that the

Table 1. Comparison of Guardian Recommendations and Judicial Decisions

<i>Judicial Decision</i>	<i>Guardian Recommendation</i>		
	Removed	Not Removed	Total
Removed	66 cases (70%)	12 cases (13%)	78 cases (83%)
Not Removed	3 cases (3%)	13 cases (14%)	16 cases (17%)
Total	69 cases (73%)	25 cases (27%)	94 cases (100%)
K=.53			

Table 2. Results of Logistic Regression Analysis Using Guardian Recommendations to Predict Judicial Decisions

<i>Predictor Variable</i>	<i>Predicting Judicial Decisions</i>				
	DF	Parameter Estimate	Standard Error	Chi-square	Probability of > Chi-square
Intercept	1	0.08	0.40	0.04	0.84
Guardian Recommendation	1	-3.17	0.71	19.77	0.00*

p=.0001

Hosmer-Lemeshow goodness-of-fit statistic=6.24 with 8 DF, p=.62

Guardian's recommendation for removal is significantly associated ($p=.0001$) with a higher probability of judicial decision to remove the child from the home. Predicted probabilities based on the parameter estimate obtained for the Guardian recommendation variable indicate that the probability of removal is 96% in cases where the Guardian recommends it and 48% in cases where the Guardian recommends against it. It should be noted again, however, that these data are based on only 25 cases in which the guardian recommended returning the child to the home. The Hosmer and Lemeshow goodness-of-fit statistic for the model (6.24 with 8 DF, $p=.62$) indicates that the observed responses do not significantly differ from responses which would be predicted based on this model (Hosmer & Lemeshow, 1989).

The cases in which the judge disagreed with the Guardian's recommendation for placement of the child were examined further to determine whether any trends among the predictor variables could be identified. Examination of the values of the predictor variables in those cases, however, did not reveal any differences which might account for the difference of opinion between the judges and the Guardians (see Table 3).

Rate of Removal by Abuse Type

It was also of interest to compare the rate of removal depending on the type of abuse or neglect allegations present. The overall distribution of abuse types in this sample (whether removed or not removed) indicated that 80% of the cases involved neglect, 52% involved physical abuse, and 28% involved sexual abuse. Among the cases in which removal occurred, 83% involved allegations of neglect, 50% involved allegations of physical abuse, and 24% involved allegations of sexual abuse (see

Table 3. Variable Values In Cases Where Judges and Guardians Disagreed Regarding Case Outcome

J	G	C	F	R	P	S	M	P	S	P	W	C	N	S	S
U	U	H	A	A	A	E	T	R	E	S	A	O	O	U	P
D	A	1	M	C	R	V	Y	E	X	Y	R	N	N	B	A
G	R	A	I	E	P	E	P	V	A	F	M	F	C	A	B
E	D	G	N		E	R	E	R	B	U		L	O	B	U
	I	E	C		R	I	S	E	U	N			M	U	S
	A				P	T		P	S	C			P	S	E
	N					Y			E	T				E	
R	N	.	.	W	Y	79	N	N	N	.	37	5	42	N	N
R	N	2	0	W	Y	93	Y	N	Y	51	27	44	54	Y	N
R	N	.	12	W	Y	84	Y	N	Y	65	85	20	37	Y	N
R	N	3	0	N	Y	97	N	N	N	69	68	2	27	N	N
R	N	3	0	N	Y	91	N	Y	N	96	13	65	96	Y	N
R	N	5	0	N	Y	64	N	Y	N	25	47	16	5	Y	N
R	N	1	8	W	Y	81	Y	N	N	59	14	54	64	N	N
N	R	6	8	W	Y	89	Y	Y	Y	46	50	2	47	N	N
R	N	2	0	N	Y	86	N	N	N	.	68	46	48	Y	N
N	R	1	.	N	Y	82	N	N	N	.	99	0	0	N	N
R	N	2	.	W	Y	69	Y	N	N	63	47	45	21	N	Y
R	N	3	.	N	Y	94	N	N	N	88	21	.	18	Y	N
R	N	17	.	W	Y	85	Y	N	N	52	57	94	15	N	N
R	N	16	.	W	N	95	N	N	Y	.	19	90	14	N	N
N	R	4	20	N	Y	60	N	N	N	54	81	78	33	Y	N

"." represents missing data; "Y" = YES; "N" = NO

JUDGE= Adjudication (R=Child removed from home; N=Not removed)
 GUARDIAN= Recommendation (R=Recommended removal; N=Did not)
 CH1AGE= Child age (in years)
 FAMINC= Annual family income (in thousands of dollars)
 RACE= Family race (W=White; N=Non-White)
 PARPERP= Was the alleged perpetrator a parent?
 SEVERITY= Severity of abuse (99=Highest possible severity level)
 MTYPES= Were multiple types of abuse alleged?
 PREVREP= Were there previous reports of abuse?
 SEXABUSE= Was sexual abuse alleged?
 PSYFUNCT= Parental psychological functioning (99=Poorest possible level)
 WARM= Parental warmth/support for child (99=Highest possible level)
 CONFL= Family conflict (99=Highest possible level)
 NONCOMP= Parental noncompliance (99=Highest possible level)
 SUBABUSE= Was parental substance abuse alleged?
 SPABUSE= Was spouse abuse alleged?

Appendix C). Results also indicated that children were removed from their homes in 87% of the cases involving allegations of neglect, in 80% of the cases involving allegations of physical abuse, and in 73% of the cases involving allegations of sexual abuse. While these results are complicated by the fact that multiple types of abuse occurred in 45% of the cases, they nonetheless indicate removal was most likely when allegations of neglect were present and least likely when allegations of sexual abuse were present.

Logistic Regression Equations

The primary purpose of this study was to determine which demographic variables, abusive situation characteristics, and family psychological characteristics influence Guardians' and judges' decisions to remove the child from the home in cases of child abuse and/or neglect. Because the outcome variables (the judge's placement of the child or the Guardian's recommendation for placement) and several predictor variables are dichotomous, logistic regression was used. In order to test for the possibility of misleading multicollinearity among the independent variables, correlation matrices were obtained for each model. The correlations among the independent variables ranged from .01 to .50, indicating that the results of the analyses were not compromised by significant multicollinearity.

Two series (one for judges' decisions and one for Guardians' recommendations) of three logistic regression models were run—one model for each category of variables (demographic variables, abusive situation characteristics, and family psychological characteristics). The results of each of these models will be discussed separately.

Finally, two logistic regression equations including only the significant predictor variables from the above models were tested—one using judges' decisions as a dependent variable and including all independent variables found to significantly predict those decisions and a second using Guardians' decisions as a dependent variable and including all independent variables found to significantly predict their decisions.

Demographic Variables

Because information regarding family income was provided in only 54 of the 94 cases, it was not possible to test the impact of this variable. Results of the logistic regression equation including child age and family race as predictors indicated that neither variable significantly impacted the decision to place the child outside the home (see Table 4). The analysis using the Guardian's recommendation as the dependent variable yielded similar results, as neither child age nor family race emerged as a significant predictor of a Guardian's decision to recommend placement outside of the home (see Table 5).

Abusive Situation Characteristics

Among variables related to aspects of the abusive or neglectful situation, it was hypothesized that abuse perpetrated by parents, very severe abuse, the presence of multiple types of abuse, and previous reports of abuse would predict placement outside the home. It was not possible to test the influence of the "parent perpetrator" variable, however, as 96% of the cases in this sample involved parent perpetrators. When the remaining variables were included in the logistic regression equation using the judge's

Table 4. Results of Logistic Regression Analysis Using Demographics to Predict Judicial Decisions

<i>Demographic Variables</i>	<i>Predicting Judicial Decisions</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-1.88	0.55	11.90	0.00
Child Age	1	0.00	0.06	0.00	0.96
Family Race	1	0.38	0.59	0.41	0.52

Table 5. Results of Logistic Regression Analysis Using Demographic Variables to Predict Guardian Recommendations

<i>Demographic Variables</i>	<i>Predicting Guardian Recommendations</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-1.50	0.47	10.36	0.00
Child Age	1	0.03	0.06	0.36	0.55
Family Race	1	0.34	0.51	0.44	0.51

decision as a dependent variable, none emerged as significantly related to removal of the child from the parents' home (see Table 6). In the analysis using the Guardian's recommendation as a dependent variable, only the presence of previous reports of abuse ($p < .05$) emerged as significantly related to recommendation for placement outside the home (see Table 7). In this model, the negative parameter estimate indicates that the absence of previous reports of abuse or neglect (which was treated first in the model) is associated with a smaller probability of removing the child from the home. Guardians were not more likely to recommend removal in cases in which the abuse was very severe or in which multiple types of abuse occurred.

Family Psychological Characteristics

Several variables describing the psychological state of the family were hypothesized to affect judges' decision-making in cases of abuse or neglect. Specifically, it was proposed that poorer parent psychological functioning, high degree of parental noncompliance with the investigation, the presence of spouse abuse and substance abuse, high degree of family discord, and low degree of parental warmth and support for the child would predict placement of the child outside of the home. However, only the degree of the parents' warmth and support for the child ($p < .01$) emerged as significantly related to judges' decision-making when the variables were simultaneously entered into the prediction equation (see Table 8). The positive parameter estimate indicates that lower levels of parental warmth and support (which were treated first in the model) were associated with a larger probability of having the child removed from the home.

Table 6. Results of Logistic Regression Analysis Using Legal and Case Variables to Predict Judicial Decisions

<i>Legal and Case Variables</i>	<i>Predicting Judicial Decisions</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-0.47	0.89	0.27	0.60
Severity of Abuse	1	-0.15	0.01	1.46	0.23
Multiple Abuse Types	1	0.19	0.59	0.10	0.75
Previous Reports	1	-0.25	0.57	0.19	0.66

Table 7. Results of Logistic Regression Analysis Using Legal and Case Variables to Predict Guardian Recommendations

<i>Legal and Case Variables</i>	<i>Predicting Guardian Recommendations</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-0.88	0.89	0.97	0.32
Severity of Abuse	1	-0.00	0.01	0.09	0.76
Multiple Abuse Types	1	0.15	0.51	0.09	0.77
Previous Reports	1	-1.08	0.51	4.46	0.03*

* $p < .05$

The results of the analysis using the Guardian's recommendation as an independent variable yielded similar results (see Table 9). Like judges, Guardians were more likely to recommend removal of children from homes in which parents showed little warmth and support for them ($p < .05$). Interestingly, however, none of the other variables regarding family psychological functioning significantly impacted the Guardians' decision-making. It therefore appears that neither judges nor Guardians rely heavily on information regarding the psychological functioning of the family when making decisions regarding the placement of the abused child.

Models Including All Significant Predictors

In order to determine the best overall predictive model of judicial decision-making, a logistic regression equation was run which included only the predictor variable found to significantly impact judicial decisions from the above models—level of parental warmth and support. Again, the positive parameter estimate obtained for the predictor variable in this model indicates that lower degrees of warmth and support were more associated with removal from the home. Calculation of predicted probabilities based on the obtained parameter estimates indicated that the probability of removal was 98% in cases where parental warmth and support was rated 0 (the lowest possible level) and 50% in cases where parental warmth and support was rated 99 (the highest possible level). The Hosmer-Lemeshow goodness-of-fit statistic (7.90 with 8 DF, $p = .44$) indicates that the observed responses do not differ significantly from those which would occur based on the predicted probabilities from the model (see Table 10).

Table 8. Results of Logistic Regression Analysis Using Family Psychological Variables to Predict Judicial Decisions

<i>Family Psychological Variables</i>	<i>Predicting Judicial Decisions</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-4.79	1.76	7.41	0.01
Psychological Functioning	1	0.01	0.02	0.11	0.74
Parental Warmth and Support for Child	1	0.04	0.02	8.14	0.00*
Family Conflict	1	0.00	0.01	0.00	0.96
Parental Noncompliance	1	0.02	0.01	2.32	0.13
Substance Abuse	1	-0.17	0.71	0.06	0.81
Spouse Abuse	1	-0.78	0.87	0.81	0.37

* $p < .01$

Table 9. Results of Logistic Regression Analysis Using Family Psychological Variables to Predict Guardian Recommendations

<i>Family Psychological Variables</i>	<i>Predicting Guardian Recommendations</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-3.18	1.39	5.21	0.02
Psychological Functioning	1	0.02	0.02	1.18	0.28
Parental Warmth and Support for Child	1	0.03	0.01	4.93	0.03*
Family Conflict	1	-0.00	0.01	0.06	0.80
Parental Noncompliance	1	0.01	0.01	0.99	0.32
Substance Abuse	1	-0.42	0.60	0.49	0.49
Spouse Abuse	1	-0.80	0.72	1.23	0.27

* $p < .05$

A similar analysis was conducted using the independent variables found to significantly impact the decisions of the Guardians. When the variables of previous reports of abuse and parental warmth and support for the child were entered into the equation, only the presence of previous reports of abuse ($p=.05$) emerged as strongly related to Guardian's decisions. Since inclusion of the variable quantifying parental warmth and support for the child did not significantly add to the predictive power of the equation, the analysis was conducted again using only the presence of previous reports as a predictor variable. The negative parameter estimate indicates that the presence of previous reports of abuse was associated with a higher probability of making a recommendation for removal. The Hosmer-Lemeshow goodness-of-fit statistic (9.00 with 8 DF, $p=.34$) indicates that the observed responses do not significantly differ from those which would occur given the predicted probabilities based on this model (see Table 11).

Comparison of Cases of Physical Abuse Only and Neglect Only

An original aim of this study was to determine whether judicial and Guardian decision-making processes differed between cases of physical abuse alone and neglect alone. Because the sample included only 11 cases solely involving physical abuse and 36 cases solely involving neglect, it was not possible to analyze the data using logistic regression equations—which require a larger sample size to be interpretively useful. Analysis using the Shapiro-Wilk statistic (W) indicated that all interval independent variables were normally distributed in the samples. The means of these variables were compared using t -tests in an attempt to determine whether potentially important differences exist among demographic, legal, or family psychological characteristics

Table 10. Results of Logistic Regression Analysis Using All Significant Predictor Variables to Predict Judicial Decisions

<i>All Significant Predictors</i>	<i>Predicting Judicial Decisions</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-3.73	0.86	18.87	0.00
Parental Warmth and Support for Child	1	0.04	0.01	9.33	0.00*

* $p < .01$

Hosmer-Lemeshow goodness-of-fit statistic=7.9 with 8 DF, $p=.44$

Table 11. Results of Logistic Regression Analysis Using All Significant Predictor Variables to Predict Guardian Recommendations

<i>All Significant Predictors</i>	<i>Predicting Guardian Recommendations</i>				
	DF	Parameter Estimate	Standard Error	Chi-Square	Probability of > Chi-Square
Intercept	1	-0.57	0.30	3.50	0.06
Previous Reports of Abuse	1	-1.02	0.49	4.25	0.04*

* $p < .05$

Hosmer-Lemeshow goodness-of-fit statistic=9.00 with 8 DF, $p=.34$

between the two groups (see Appendix D). In addition, the frequencies of the dichotomous independent and dependent variables in each group were reviewed, although the number of cases was insufficient to support Chi-square analysis.

Results of comparisons between cases of physical abuse alone and neglect alone using t-tests indicated that the level of severity of neglect tended to be more extreme than the level of severity of abuse ($t=-2.55$, $p=.02$) and that there tended to be less conflict between parents of neglected children than between parents of abused children ($t=2.09$, $p=.04$). No significant differences between the two groups were found in child age, family income, level of parental psychological functioning, degree of parental warmth and support for the child, or parental noncompliance with the investigation.

Visual review of the frequencies of dichotomous variables in the two groups revealed the following: (1) Judges were somewhat more likely to remove neglected children from their homes (89% of neglected children as opposed to 73% of abused children), (2) Guardians were less likely to recommend removal of neglected children than abused children (75% of neglected children as opposed to 82% of abused children), (3) Among neglect cases, there tended to be fewer cases involving previous reports of abuse or neglect against the child (47% as opposed to 57% in cases of physical abuse), (4) In cases of neglect alone, there were fewer cases involving spouse abuse (14% as opposed to 27% in families of abused children), and (5) Reports of substance abuse were more frequent among parents of neglected children (72% as opposed to 55% in cases of physical abuse). Family race and the number of non-parent alleged perpetrators did not differ significantly between the two groups.

Because these findings are based on very small samples, caution must be used in their interpretation. The number and magnitude of the differences found, however, indicate the possibility of substantive differences between the characteristics of cases of physical abuse only and neglect only. It thus logically follows that important differences may exist in the process of determining appropriate adjudication for the two different groups.

DISCUSSION

The results of this study provide descriptive information about cases involving allegations of child abuse and/or neglect cases which are served by the GAL program in the state of Florida. Such descriptive information about the cases included in the current study is provided to establish a framework for interpreting and understanding the results which were obtained. The distribution of demographic, abusive situation, and family psychological characteristics of the sample are presented in Tables 12 and 13. As noted above, 59% of the families in the current study were white and 41% were African American, Hispanic, and other races (34%, 4%, and 3%, respectively). Of the 56 cases in which information on family income was provided, the mean income was \$8,6660 per year, suggesting that the majority of the families live in poverty.

All interval variables related to the abusive situation and to the family's psychological functioning in the study were rated on visual analog scales with values ranging from 1 to 99. The average level of severity of abuse was 76 (with 99 being the most severe), indicating that these cases generally represent the most severe incidents of abuse and neglect. At least one of the parents was the alleged perpetrator in 96% of the cases, and there existed previous reports of abuse in 50% of the cases. Multiple types of abuse were reported in 45% of the cases, and sexual abuse allegations were present (either alone or in combination with abuse and/or neglect) in 28% of the cases.

Table 12. Distribution of Interval Variables

Variable	N	Mean	S.D.	Median
Child Age	90	4.77	4.46	3.00
Family Income	56	8.66	12.61	5.50
Severity of Abuse	94	76.05	21.85	84.00
Parental Psychological Functioning	86	56.04	20.98	54.25
Parental Warmth and Support for Child	94	47.33	29.42	48.50
Family Conflict	86	46.53	31.15	47.00
Parental Noncompliance	94	37.12	26.20	33.25

Table 13. Frequencies of Dichotomous Variables

Variable		Frequency	Percent
Family Race	White	55	58
	Non-White	39	42
Parent Perpetrator	Alleged	90	96
	Not Alleged	4	4
Multiple Types of Abuse	Alleged	42	45
	Not Alleged	52	55
Previous Reports of Abuse	Yes	47	50
	No	47	50
Sexual Abuse	Alleged	26	28
	Not Alleged	68	72
Spouse Abuse	Alleged	20	21
	Not Alleged	74	79
Substance Abuse	Alleged	61	65
	Not Alleged	33	35

There were allegations of spouse abuse (in addition to child abuse) in 21% of the cases, and allegations of substance abuse were made in 65% of the cases. The average rating for overall psychological functioning of the family was 56 (with 99 being the poorest possible level of psychological functioning), and the average rating for parental warmth and support for the child was 47 (with 99 being the highest possible level of warmth and support). The average conflict level reported for the families was 47 (with 99 being the highest possible level of conflict), and the average degree of parental noncompliance with the investigation was 37 (with 99 being the highest possible level of noncompliance).

One of the major aims of this study was to determine the frequency with which judges agree with Guardians ad Litem regarding case outcome. Cross-tabular display of Guardian recommendation and actual case outcome indicated that the two groups agreed in 79 of the 94 cases, and the positive Kappa statistic indicated that this level of agreement is beyond what would be expected by chance alone. In addition, results of a logistic regression analysis indicated that Guardian recommendation for removal is significantly associated with a higher probability of judicial decision to remove the child from the home. The results indicate, in fact, that the probability of a judicial decision for removal is 96% when the Guardian has recommended that the child be removed.

The main objective of the current study was to determine which demographic, legal, and family psychological variables are most predictive of decisions to remove (or recommend removal of) children from their homes in cases involving child abuse and neglect. It is important at this point to note again that all cases included in this study had

reached the point of adjudication and therefore likely represent the most severe cases to enter into the judicial system. Consideration of this population is felt to be important, however, as it is these cases in which judges are most likely to render decisions. Interestingly, very few of the variables assessed were found to be significantly associated with judicial and Guardian decision-making.

In addition, while judges were quite likely to agree with the recommendations of Guardians, their decisions were significantly associated with somewhat different information from the Guardians. Review of the cases in which judges and Guardians disagreed did not reveal any trends which would account for such differences. It is therefore possible that this discrepancy is due either to chance or to the influence of another factor (or factors) which was not accounted for in this study.

Overall, information regarding the degree of parental warmth and support for the child was most predictive of final case outcome. The results of the separate analyses using Guardians' recommendations as the dependent variable indicated that the presence of previous reports of abuse and on the degree of parental warmth and support for the child are significantly associated with those recommendations. The results of a logistic regression equation using only these predictor variables, however, indicated that only the presence of previous reports of abuse or neglect against the child is significantly related to Guardians' recommendations for removal. Thus, at least in this sample, recurrent abuse against a child is the single most predictive factor of Guardians' recommendation that he or she be removed from the home.

The results of previous studies have indicated that judges are more likely to remove older children from the home than they are to remove younger children (e.g., Katz et al., 1986). In this sample, however, child age had no discernible effect on either judges' or Guardians' decisions. Previous studies have also found that the race of the family is not significantly associated with decisions of judges. The results of the current study lend support to that finding, suggesting that racial discrimination on the part of court personnel is not present in the process of adjudicating cases of child abuse and neglect.

Several legal variables hypothesized to be related to judicial and Guardian ad Litem decision-making were not found to significantly predict the outcome of the cases included in this study. Neither judges' nor Guardians' decisions were significantly associated with the fact that the abuse was very severe or on the fact that multiple types of abuse were alleged. Interestingly, while the presence of previous reports of abuse was found to be the most significant predictor of Guardian's decisions to recommend removal of children from their homes, this information was not significantly related to judicial decision-making. Among the variables relating to the psychological functioning of the family, only the level of the parents' warmth and support for the child was found to be significantly associated with decisions regarding case outcome. Information regarding the psychological functioning of the parents, the parents' compliance with the investigation, the degree of family discord, or the presence of allegations of spouse or substance abuse among the parents was not related to judges' or Guardians' decisions.

One source of concern which arises from the results of the current study is the lack of association between judges' and Guardians' decisions and the severity level of the alleged abuse. Florida Statute section 39.464 stipulates that grounds for termination of parental rights include "egregious abuse," which is defined as "conduct that endangers the life, health, or safety of the child." Yet visual analysis of the data indicated that a number of children were returned home in cases where the severity of the abuse was judged to be very high. If one assumes that children who are very severely abused are at risk for greater injury in the future (if not at greater risk for more frequent future abuse), this finding reflects a potentially serious oversight on the part of court personnel involved in dependency case decision-making. In addition, there was little association between judges' decisions and the presence or absence of previous reports of abuse or neglect against the child—despite the fact that Florida Statute section 39.464 stipulates that "continuing abuse or neglect" is grounds for termination of parental rights.

Another area of concern is the lack of association between judicial and Guardian decisions and information regarding the psychological and interpersonal functioning of the family. The results obtained here differ from those obtained by Meddin (1984) in her study of child protective direct service workers and supervisors. Subjects in that study were found to treat the functioning and cooperation of the parents as important indicators of future risk to the child. Despite considerable evidence that psychological disturbance of parents (particularly depression), aberrant parenting, and marital discord frequently lead to abuse and neglect of children and subsequently to poor adjustment of

those children (e.g., Lynch and Roberts, 1982; Martin, 1979; Green, 1976), factors such as these were not found to predict decisions to remove children from their homes.

Review of Florida Statute section 39.467 provides a likely explanation for the above finding. Judges are required to consider "the love, affection, and other emotional ties existing between the child and the child's present parent or siblings"—which they appear to do, given the significant association between the degree of parental warmth and support for the child and final adjudication. However, while judges are instructed to consider "the capacity of the parent or parents to care for the child to the extent that the child's health and well-being will not be endangered upon the child's return home," there is no specific requirement to consider the psychological functioning of the parents. Again, given our current knowledge about the detrimental effects of poor parent psychological functioning on the well-being of children, failure to consider these factors when determining whether to remove children from their homes would represent a gross oversight.

Results of comparison of the variables among groups of children who were physically abused (but not neglected or sexually abused) and those who were neglected (but not physically or sexually abused) also indicated several potentially important differences in both case type and outcome—most notably that while Guardians are somewhat less likely to recommend removal of children in cases of neglect alone, judges are somewhat more likely to adjudicate removal. Such a finding raises questions regarding whether the decision-making processes of judges and Guardians differ when allegations include different types or combinations of abuse or neglect. As a result, it

is recommended that future research consider groups of physically abused, sexually abuse, and neglected children separately rather than risk "washing out" of potential differences among them.

The current study has identified a number of variables important to judges and Guardians in determining custody of abused and/or neglected children, as well as a number of issues which may warrant more attention on the parts of these two groups. There are, however, several methodological limitations present in this study which deserve consideration. First, there are limitations which concern the generalizability of the results obtained here. Despite considerable effort, the researchers were unable to collect data on every case referred to the GAL program during the period of study. Some of the judicial circuits in the state of Florida were more willing to cooperate than were others, and even the most cooperative were able to provide data only from Guardians willing to complete our forms on a volunteer basis. Our sample is therefore not random and may not accurately represent the population of GAL referrals in the state of Florida. Additionally, the current results are based on a relatively small sample, and some of our findings may therefore be sample specific. Caution must thus be used when generalizing the results obtained in this study to other populations. In addition, the sample used in this study did not include a wide distribution of family income levels or child ages. Because the sample included mostly very low income families with young children, generalization of these findings to populations with different demographic characteristics is not advised, as judges and Guardians may well weigh information differently in cases involving wealthy families or those with older children.

While federal laws regarding cases involving allegations of child abuse or neglect provide some degree of uniformity in determining case disposition, it may be that some states have legal guidelines and political climates which differ from the state of Florida. It is therefore recommended that the results obtained here not be generalized to other geographic regions prior to further study in those areas. Another aspect of the current sample which deserves consideration is that the cases involved both initial dependency hearings and termination of parental rights hearings. Thus, some of the children were removed from their homes on a temporary basis, while others were permanently removed. Because court personnel may use somewhat different criteria when deciding whether parental rights should be severed, it is recommended that additional research be conducted on these two groups independently of each other.

Future research is clearly needed to assess the generalizability of the current findings to other populations. It is also recommended that a similar analysis be conducted using a larger sample of a comparable population in order to replicate these findings and to determine whether the process of Guardian ad Litem and judicial decision-making changes over time.

Further research is also needed to clarify the results obtained in the current study. One rather puzzling finding of this study was that while judges tend to agree with the recommendations of Guardians, they appear to place a somewhat different emphasis on the variables they use to determine the final adjudication on the cases they consider. This finding suggests that while judges rely on case information provided to them by the Guardians, they may not rely heavily on the Guardians' recommendations. Future

research using Guardian recommendation as an independent variable to predict judicial decisions is thus warranted to further clarify this situation. In addition, it is recommended that future studies be conducted which consider abused children and neglected children as separate groups in order to determine whether important differences exist in the decision-making of judges and Guardians between the two groups.

Another area requiring further research is the lack of consideration given to psychological aspects of the family in making decisions regarding removing children from their homes. Potential explanations for this finding include the possibility that judges and Guardians are unaware of the importance of such factors on the short- and long-term well-being of the children involved, that they are not adequately educated about how to assess the information, and/or that they do not feel that the consideration of such information is warranted under the legal guidelines for determining case disposition. Future research aimed at elucidating these or other reasons is therefore suggested.

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APPENDIX A

GAL QUESTIONNAIRE FOR DEPENDENCY CASES

Thank you for your time and support of our efforts to collect the following information on dependency cases. Our goal is to provide information which will aid the GAL program in its role as the advocate for children in dependency cases.

The questionnaire is divided into three broad sections. This first section deals with basic demographic and legal information of your case. This information is similar to that found in your case records.

The second sections requests information on individual and family psychological issues. These questions may be easily answered after your interviews with the child's family. This section requires that you mark on a line to indicate your rating of the intrafamilial relationships. Some of these questions require a single mark on the line, such as for conflict between the two parents:

CONFLICT BETWEEN THE TWO PARENTS:

|-----/-----|
Very Little Very Much

While other questions require you to make two ratings on each line, one for the mother-child relationship and one for the father-child relationship:

CONFLICT BETWEEN EACH PARENT AND THE CHILD(ren) who was reportedly abused or neglected, with an M, F, SM, and an SF.

M F
|-----/-----/-----|
Very Little Very Much

Finally, the third section surveys information from the disposition hearing on the case in terms of your recommendations to the court and the court's final determination.

Please return this form when completed to your GAL program's secretary.

Thank you again for your help.

Dependency Case

DEMOGRAPHIC AND LEGAL INFORMATION

Who is filling out this form? Guardian Coordinator/Director Other

Date of this hearing? _____ Judge Code: _____

Circuit: _____ County: _____

Circle any immediate family members who have not been interviewed by the GAL: (Circle all that apply)

Mother Father Child Other (specify) _____

Stepmother Stepfather Grandparent

Are the parents represented by counsel: Yes No

Report for all family members living with the child victim (and the alleged perpetrator if he/she does not live with the child) the following information:

Race: C=caucasian, H=hispanic, B=black, O=other

V/P: V=victim of abuse/neglect, P=alleged perpetrator

Relation: (to the victim(s) P=parent, SP=step parent, GP=grandparent, S=sibling, BF=boy/girlfriend of the parent, FP=foster parent, AP=adoptive parent, ST=stranger, O=other

	<u>AGE</u>	<u>SEX</u>	<u>RACE</u>	<u>V/P</u>	<u>RELATION</u>
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____

For each parent report the following information:

	<u>Yearly Income</u>	<u>Years of Education</u>	<u>Age</u>	<u>Occupation</u>
MOTHER	_____	_____	_____	_____
FATHER	_____	_____	_____	_____
STEPMOTHER	_____	_____	_____	_____
STEPFATHER	_____	_____	_____	_____

[illegible]

INTERPERSONAL AND FAMILY ISSUES: Please evaluate items 1-9 from your interviews with the family members. Place a mark on the line to indicate your rating of the family. Also, please circle the number of each question if you have included information on that issue in your report to the court.

1. Who does the non-abusing caretaker SUPPORT:

|-----|
Child Victim Reported Abuser

CONFIDENCE in your rating.

|-----|
None Total

2. SEVERITY of the abuse/neglect:

|-----|
Very Slight Very Severe

CONFIDENCE in your rating.

|-----|
None Total

3. CHILD'S DISTRESS over the current family situation:

|-----|
Very Little Very Much

CONFIDENCE in your rating.

|-----|
None Total

4. CONFLICT BETWEEN THE TWO PARENTS:

|-----|
Very Little Very Much

CONFIDENCE in your rating.

|-----|
None Total

5. **PARENTS' WILLINGNESS TO REPORT FAMILY PROBLEMS in general:**

|-----|
None Completely

CONFIDENCE in your rating.

|-----|
None Total

6. **Amount the FAMILY FAVORS FAMILY ACTIVITIES:**

|-----|
Too Little About Right Too Much

CONFIDENCE in your rating.

|-----|
None Total

7. **Amount that the family members CLARIFY AND/OR SPEAK FOR other family members.**

|-----|
Very Little Very Much

CONFIDENCE in your rating.

|-----|
None Total

8. **DEGREE TO WHICH THE PHYSICAL NEEDS OF THE CHILD(ren) were met, prior to the recent report of abuse/neglect.**

|-----|
None Total

CONFIDENCE in your rating.

|-----|
None Total

These needs were primarily met by (circle one):

Mother Father Both Other (specify) _____

9. **DEGREE TO WHICH THE EMOTIONAL NEEDS OF THE CHILD(ren) were met, prior to the recent report of abuse/neglect.**

|-----|
None Total

CONFIDENCE in your rating.

|-----|
None Total

These needs were primarily met by (circle one):

Mother Father Both Other (specify) _____

For items 10-16, use the following letters that apply to this family to represent your evaluation of the parents on these issues. Place a mark on the line to represent your rating of each parent and label each mark with one of the following letters. Please make sure that you make separate ratings on each of them, including your ratings of the CONFIDENCE you have in your rating on each of them.

M=Mother, SM=Stepmother, F=Father, SF=Stepfather

10. **CONFLICT BETWEEN EACH PARENT AND THE CHILD(ren) who was reportedly abused or neglected, with an M, F, SM, and SF.**

|-----|
Very Little Very Much

For each parent, is there as much conflict with other children?

	Yes	No		Yes	No
Father:	___	___	Mother:	___	___
Stepfather:	___	___	Stepmother:	___	___

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

11. **WARM AND POSITIVE FEELINGS FOR THE CHILD(ren) who was reportedly abused or neglected held by each parent with an M, F, SM, and SF.**

|-----|
Very Little Very Much

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

12. **INVOLVEMENT of each parent with the child(ren)'s daily lives (e.g., peer relationships, child's feelings, minor illnesses) with an M, F, SM, and SF.**

|-----|
No Involvement Excessive Involvement

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

13. **EACH PARENT'S RELIANCE ON THE CHILDREN FOR COMPANIONSHIP, COMFORT, AND PROBLEM-SOLVING with an M, F, SM, and SF.**

|-----|
Very Little Very Much

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

14. **PSYCHOLOGICAL ISSUES for each parent with an M, F, SM, and SF.**

Lonely
|-----|
Slightly Highly

Depressed

|-----|
Slightly Highly

Anxious

|-----|
Slightly Highly

Irritable

|-----|
Slightly Highly

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

15. **SATISFACTION WITH SOCIAL SUPPORT** that each parent receives for any problems from relatives, friends, coworkers, and community agencies with an M, F, SM, and SF.

|-----|
Inadequate Excellent

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

16. **EACH PARENT'S RESPONSE TO YOU** in general with an M, F, SM, and SF.

|-----|
Very Friendly Hostile/Rejecting

CONFIDENCE in each of your ratings with an M, F, SM, and SF.

|-----|
None Total

17. **If either parent was abused/neglected as a child, report the types of that abuse (P=physical, S=sexual, E=emotional, N=Neglect, and N/A=none)**

Mother_____ Father_____ Stepmother_____ Stepfather_____

18. Check the following problems if any child was reported to exhibit the problem:

- Child verbally fights with parents _____
- Child physically fights with parents _____
- Child physically fights with siblings _____
- Child verbally or physically fights with non-family members _____
- Child is more promiscuous than would be expected for his/her age _____
- Child has been absent from school for more than 2 weeks in the last year, and it has not been due to any medical illness _____
- Child has run away from home frequently in the past _____
- Child steals from family members or others _____
- Child is withdrawn and does not participate in normal daily activities, such as schoolwork or family activities _____
- Child refuses to do what his parents tell him to do, such as going to school or doing household chores _____

PLEASE CHECK TO MAKE SURE THAT YOU HAVE CIRCLED THE NUMBER OF THE QUESTIONS WHICH CONTAIN INFORMATION YOU REPORTED TO THE COURT

Report the total number and dates of any past report of abuse or neglect and for the present report. (If no abuse write in N/A; if the neglect was chronic, use C in place of the number of occurrences.)

	DATES	TOTAL NUMBER
PAST	_____	_____
PRESENT	_____	_____

Report whether criminal charges are being brought against the alleged perpetrator for abuse/neglect in this case and previously.

This case: YES NO Previously (how many): _____

DISPOSITION

Does the alleged perpetrator accept responsibility to the abuse/neglect?

YES NO

Indicate who requested a mental health evaluation for any family members, and who completed it:

REQUESTED BY:(1=judge 2=Guardian 3=Attorney for Parent 4=HRS 5=N/A)

COMPLETED BY:(1=Clinical Psychologist 2=Psychiatrist 3=Social Worker 4=Other Psychologist 5=Other 6=Not Completed)

	Requested By	Completed By
For the Mother	_____	_____
For the Father	_____	_____
For the Stepmother	_____	_____
For the Stepfather	_____	_____
For the Child(ren)	_____	_____

Circle any family member(s) for whom the GAL has recommended therapy:

Mother Stepmother Father Stepfather Children None

Do the parents admit dependency? YES NO

Please circle type of case:

Initial Dependency Termination of Parental Rights

Check any of the following options if they were being considered, then check which option was recommended by the Guardian, and which option was adjudicated.

	Considered	Guardian	Adjudicated
Perpetrator Removed From the Home	_____	_____	_____
Parents Retain Custody With Supervision	_____	_____	_____
Temporary Custody Awarded to a Relative	_____	_____	_____
Temporary Foster Placement	_____	_____	_____
Child Placed in a Treatment Facility	_____	_____	_____
Placement for Adoption	_____	_____	_____
Child Placed in a Detention Facility	_____	_____	_____
Other (specify)_____	_____	_____	_____
Not Dependent and Returned Home	_____	_____	_____

APPENDIX B

CORRELATIONS AMONG INDEPENDENT VARIABLES

Table B-1. Estimated Correlations Among Demographic Variables Entered in Logistic Regression Equation Predicting Judicial Decisions

	Child Age	Family Race
Child Age	1.00	0.16
Family Race	0.16	1.00

Table B-2. Estimated Correlations Among Demographic Variables Entered in Logistic Regression Equation Predicting Guardian Recommendations

	Child Age	Family Race
Child Age	1.00	0.18
Family Race	0.18	1.00

Table B-3. Estimated Correlations Among Legal and Case Variables Entered in Logistic Regression Equation Predicting Judicial Decisions

	Severity of Abuse	Multiple Types of Abuse	Prior Reports of Abuse
Severity of Abuse	1.00	-0.25	-0.06
Multiple Types of Abuse	-0.25	1.00	-0.21
Prior Reports of Abuse	-0.06	-0.21	1.00

Table B-4. Estimated Correlations Among Legal and Case Variables Entered in Logistic Regression Equation Predicting Guardian Recommendations

	Severity of Abuse	Multiple Types of Abuse	Prior Reports of Abuse
Severity of Abuse	1.00	-0.26	-0.12
Multiple Types of Abuse	-0.26	1.00	-0.18
Prior Reports of Abuse	-0.12	-0.18	1.00

Table B-5. Estimated Correlations Among Family Psychological Variable Entered in Logistic Regression Equation Predicting Judicial Decisions

	Psychological Functioning	Parental Warmth	Family Conflict	Parental Non- compliance	Substance Abuse	Spouse Abuse
Psychological Functioning	1.00	0.09	0.09	-0.23	-0.20	-0.22
Parental Warmth	0.09	1.00	0.33	0.43	-0.16	0.07
Family Conflict	0.09	0.33	1.00	-0.01	-0.24	-0.07
Parental Non- compliance	-0.23	0.43	-0.01	1.00	0.04	-0.01
Substance Abuse	-0.20	-0.16	-0.24	0.04	1.00	-0.20
Spouse Abuse	-0.02	0.07	-0.07	-0.01	-0.20	1.00

Table B-6. Estimated Correlations Among Family Psychological Variable Entered in Logistic Regression Equation Predicting Guardian Recommendations

	Psychological Functioning	Parental Warmth	Family Conflict	Parental Non- compliance	Substance Abuse	Spouse Abuse
Psychological Functioning	1.00	0.17	0.03	-0.20	-0.23	-0.01
Parental Warmth	0.17	1.00	0.29	0.39	-0.09	-0.01
Family Conflict	0.03	0.29	1.00	-0.06	-0.18	-0.11
Parental Non- compliance	-0.20	0.39	-0.06	1.00	0.14	-0.01
Substance Abuse	-0.23	-0.09	-0.18	0.14	1.00	-0.17
Spouse Abuse	-0.01	-0.01	-0.11	-0.01	-0.17	1.00

Table B-7. Estimated Correlations Among Significant Predictor Variables Entered in Logistic Regression Equation Predicting Guardian Recommendations

	Prior Reports of Abuse	Parental Warmth and Support
Prior Reports of Abuse	1.00	0.05
Parental Warmth and Support	0.05	1.00

APPENDIX C

RATE OF REMOVAL BY TYPE OF ABUSE

Table C-1. Cross-Tabular Analysis of Removal Rate by Presence of Neglect

<i>Allegation</i>	<i>Judicial Decision</i>		
Frequency	Not Removed	Removed	Total
Total Percent			
Row Percent			
Column Percent			
Not Neglected	6	13	19
	6.38	13.83	20.21
	31.58	68.42	
	37.50	16.67	
Neglected	10	65	75
	10.64	69.15	79.79
	13.33	86.67	
	62.50	83.33	
Total	16	78	94
	17.02	82.98	100.00

Table C-2. Cross-Tabular Analysis of Removal Rate by Presence of Physical Abuse

<i>Allegation</i>	<i>Judicial Decision</i>		
	Not Removed	Removed	Total
Frequency			
Total Percent			
Row Percent			
Column Percent			
Not Physically Abused	6	39	45
	6.38	41.49	47.87
	13.33	86.67	
	37.50	50.00	
Physically Abused	10	39	49
	10.64	41.49	52.13
	20.41	79.59	
	62.50	50.00	
Total	16	78	94
	17.02	82.98	100.00

Table C-3. Cross-Tabular Analysis of Removal Rate by Presence of Sexual Abuse

<i>Allegation</i>	<i>Judicial Decision</i>		
	Not Removed	Removed	Total
Frequency			
Total Percent			
Row Percent			
Column Percent			
Not Sexually Abused	9	59	68
	9.57	62.77	72.34
	13.24	86.76	
	56.25	75.64	
Sexually Abused	7	19	26
	7.45	20.21	27.66
	26.92	73.08	
	43.75	24.36	
Total	16	78	94
	17.02	82.98	100.00

APPENDIX D

DESCRIPTIVE STATISTICS FOR VARIABLES IN CASES OF PHYSICAL ABUSE ALONE AND NEGLECT ALONE

**Table D-1. Distribution of Interval Variables in Cases of Physical Abuse Only
and Neglect Only**

Variable	Physical Abuse Only			Neglect Only			T-Test Value
	N	Mean	S.D.	N	Mean	S.D.	
Child Age	11	4.36	3.59	35	3.60	3.34	0.63
Family Income	6	13.17	9.00	21	4.95	7.30	2.05
Severity of Abuse	11	53.45	24.27	36	74.14	21.04	-2.55*
Parental Psychological Functioning	10	48.66	18.65	30	58.99	23.34	-1.42
Parental Warmth and Support for Child	11	57.45	18.83	36	54.94	31.06	0.33
Family Conflict	11	54.18	17.06	29	37.54	32.64	2.09*
Parental Noncompliance	11	37.36	23.63	36	31.89	28.78	0.64

* $p < .05$

Table D-2. Frequencies of Dichotomous Variables in Cases of Physical Abuse Only and Neglect Only

Variable		Physical Abuse Only		Neglect Only	
		Frequency	Percent	Frequency	Percent
Adjudication	Removed	8	73	32	89
	Not Removed	3	27	4	11
Guardian Recommendation	Remove	9	82	27	75
	Do Not Remove	2	18	9	25
Family Race	White	5	45	16	44
	Non-White	6	55	20	56
Parent Perpetrator	Alleged	10	91	35	97
	Not Alleged	1	9	1	3
Previous Reports of Abuse	Yes	3	27	17	47
	No	8	73	19	53
Spouse Abuse	Alleged	3	27	5	14
	Not Alleged	8	73	31	86
Substance Abuse	Alleged	6	55	26	72
	Not Alleged	5	45	10	28

APPENDIX E

PEARSON THREE-WEEK TEST-RETEST CORRELATIONS

Table E-1. Pearson Three-Week Test-Retest Correlations of Psychological Variables

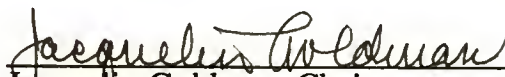
<i>Variable</i>	<i>r²</i>
Parental Conflict	.52*
Maternal Warmth	.48*
Paternal Warmth	.49*
Maternal Depression	.36
Paternal Depression	.18
Maternal Anxiety	.68***
Paternal Anxiety	.21
Maternal Irritability	.60**
Paternal Irritability	.09

* $p < .05$ ** $p < .005$ *** $p < .001$


BIOGRAPHICAL SKETCH

Cynthia McDanal is a psychology associate in the state of Maryland. She currently works under supervision in a private practice conducting psychotherapy for children and performing neuropsychological evaluations to rule out learning disabilities and attention disorders in children, adolescents, and adults. Upon completion of the requirements for the degree of Doctor of Philosophy, Cynthia will pursue certification as a licensed clinical psychologist in Maryland and the District of Columbia. She graduated magna cum laude from Stetson University in 1987 and earned a Master of Science degree in Clinical and Health Psychology from the University of Florida in 1990.


I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


Jacquelin Goldman, Chair
Professor of Clinical and Health Psychology

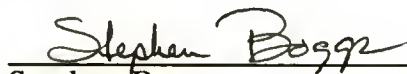
I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


James Johnson
Professor of Clinical and Health Psychology


I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


Michael Robinson
Associate Professor of Clinical and Health
Psychology

I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.



Stephen Boggs
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I certify that I have read this study and that in my opinion it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Doctor of Philosophy.


Steven Willis
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This dissertation was submitted to the Graduate Faculty of the College of Health Related Professions and to the Graduate School was accepted as partial fulfillment of the requirements for the degree of Doctor of Philosophy.

April, 1994



Dean, College of Health Related Professions

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